PHILIP MORRIS MANAGEMENT CORP. **INTER-OFFICE MEMO**

120 PARK AVENUE, NEW YORK, N.Y. 10017-5592

TO: Records Coordinators
and Department Heads.
Philip Morris Companies Inc.
Philip Morris Incorporated
Philip Morris International
Philip Morris Management Corp.

DATE: February 20, 1996

FROM: William F. Lynch III

RE: **Disposal Suspension Status Report - 1st Quarter 1996**

The Philip Morris Records Management Program provides us with a means for designating and maintaining records which must be retained indefinitely or until released from disposal suspension because they might be needed for an audit, investigation, court case or other specified reason. Records become subject of disposal suspension through two means: (1). the Appendix entitled *Topics Subject to Disposal Suspension* in the applicable Records Management Manual, and (2). Notices of Disposal Suspension. As Records Coordinators and Department Heads it is your responsibility to see that records are managed pursuant to the Records Management Policy.

The Appendix entitled *Topics Subject to Disposal Suspension* in the applicable Records Management Manual provides a listing of records subject to disposal suspension. Although you must consult the Appendix within the applicable Records Management Manual for your company, a copy of the Appendix *Topics Subject of Disposal Suspension* for Philip Morris Incorporated is affixed as an example. Attached also for your reference is a suspension notice status report and copies of Notices of Disposal Suspension previously issued by the Legal Department that further describe records subject to disposal suspension. Records on disposal suspension must be preserved, without alteration or mutilation, indefinitely or until a release is issued. Remember that records are subject to disposal suspension regardless of their storage media or format.

The Notices of Disposal Suspension contained within the Disposal Suspension Status Report have previously been issued by the Legal Department.

Except for electronic records which must be preserved in orginal form pursuant to previously issued disposal notices dated April 6, 1994, April 21, 1994, May 4, 1994, and July 28, 1994, electronic mail and other electronic records, if any, should be retained by printing and retaining a paper copy only,

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in accordance with the usual retention practice for electronic records subject to each Records Management Manual's Appendix entitled *Topics Subject to Disposal Suspension.* However, electronic records subject to disposal suspension that are incapable of being printed must continue to be maintained in electronic form.

Please take special note that the April 6, l994, April 21, l994, May 4, l994, and July 28, l994 Notices of Disposal Suspension were issued as a result of a document preservation order in the class action suit pending in Louisiana, Castano v. The American Tobacco Company, and that the Castano order has been adopted by courts in Minnesota and Mississippi.

If there is any question about whether a record is subject to disposal suspension or regarding the appropriate means or media for retention, the record should be retained in its original media pending review by the Legal Department.

Please retain a copy of this Disposal Suspension Status Report for your files and distribute this report to persons in the departments for which you have management or records management responsibility. If you have questions related to this report, please contact me (New York x4019) in the Legal Department.

WFL/wfl
Attachments

cc:

Adams, M.
Adkins, C.
Beane, T.
Bertelsen, R.
Bennett, B.
Bodine Congdon, M.
Brass, H.
Bryant, G.
Chaump, J.
Crawford, D.
Cummings, L.
Davies, D.
DeBardeleben, M.
Hargrave, J.
Harris, C.
Insley, G.
Keane, D.
Lindon, T.
Long, H.
Mayall, J.
Moore, M
Mulderig, J.
Padoan, A.
Pollak, L.
Reich, S.
Smith, O.
Wall, C.
Ward, J.
Werth, D.
Whidden, R.
Worsham, J.

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